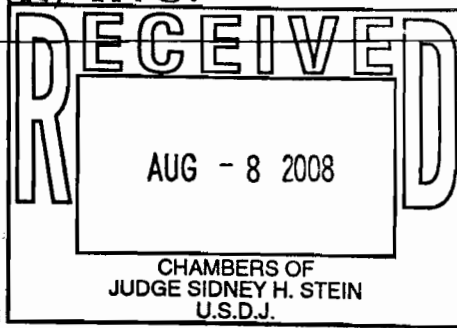


Federal Defenders
OF NEW YORK, INC.

Southern District
52 Duane Street-10th Floor, New York, NY 10007
Tel: (212) 417-8700 Fax: (212) 571-0392

Leonard F. Joy
Executive Director

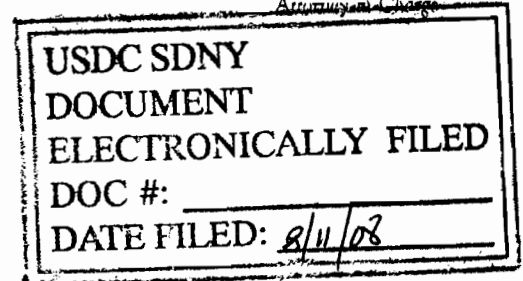


August 8, 2008

BY FAX

Honorable Sidney H. Stein
United States District Judge
Southern District of New York
500 Pearl Street, Room 1010
New York, New York 10007

Southern District of New York
John J. Bynnes
Attorney-in-Charge



MEMO ENDORSED

Re: **United States v. Bartis Rafael Peguero**
08 Cr. 683 (SHS)

Dear Judge Stein:

I represent Defendant Bartis Rafael Peguero in the above-referenced case. I write to respectfully request an extension of time to file defense motions, which are currently due on August 21, 2008.

Mr. Peguero has been charged in a one-count indictment with illegal reentry following removal from the United States, in violation of 8 U.S.C. §§ 1326(a) and (b)(2). As of this date, I have not yet received from the Government a transcript or recording of Mr. Peguero's original deportation hearing. I understand that it may take up to two weeks before any recording is available. As a result, I request that the time to file defense motions be extended by two weeks to allow adequate time for production and review of these discovery materials. I also respectfully request that the pretrial conference currently scheduled for August 21, 2008 at 3:00 p.m. be adjourned to coincide with the due date for defense motions. Defendant consents to the exclusion of time under the Speedy Trial Act during any such extension granted by this Court.

This is defendant's first request for an extension of time. I have conferred with Assistant United States Attorney Amanda Kramer and she consents to this request on behalf of the Government.

The time for filing defense motions is extended to 9/4/08. The pretrial conference is adjourned to 9/4/08, at 2:15pm. From 8/11, the time is excluded to 9/4/08 from calculations under the Speedy Trial Act. The Court finds that the ends of justice served by this continuance outweigh the best interests of the public and defendant in a speedy trial pursuant to 18 USC 3161(h)(8).

Respectfully submitted,

Sarah Baumgartel

Sarah Baumgartel
Tel.: (212) 417-8772

cc: Amanda Kramer, Esq.
Assistant United States Attorney (by fax)

SO ORDERED 8/11/08

Sidney H. Stein
SIDNEY H. STEIN
U.S.D.J.